THE RELEASE TENTITION FOR RESIDENTIAL * BEFORE THE CONTING VARIANCE * ZONING COMMISSIONER W/3 Hartord Road, 1770 ft. N of Martley Mill Road * OF BALTIMORE COUNTY 11000 Harford Road Tith Election District * Case No. 92-340-A oth Councilmanic District David Ladie, Sr., et ux retitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request relief from Section 400.1 of the Baltimore County Koning Regulations (B.C.Z.R.) to allow an accessory structure (pool) in the side yard, in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits NE submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship ... upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltumore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool) in the side yard, in lieu of the required rear yard, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 88, 4386

April 16, 1992

Mr. and Mrs. David Lidie, Sr. 11951 Harford Road Glen Arm, Maryland 21057

RE: Petition for Residential Zoning Variance Case No. 92-340-A

Dear Mr. and Mrs. Lidie:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

Appendix for expression of the second

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In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, milles Sill Lawrence E. Schmidt Zoning Commissioner

LES:mmn

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and pla 400.1 TO SLIOW AN ACCESSORY POR IN THE SIDE YAND IN LIEU OF of the Zoning Regulations of Baltimore County for the following reasons: (indicate bard

HEQUEST SWIMMING POOL IN SIDE YARD BECKET REAR YARD IS A DIMMOTIC SLUPE WHICH MIKES IT IMPOSSIBLE FOR POOL IN REAR YARD.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

·	I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.
Contract Purchaser:	Legal Owner(s):
(type or print name)	(type or pring name)
eignature)	(Wignature)
ddress	(type or print name)
ity State Zap Code Attorney for Petitioner:	1962 HARPORD PD 410.592.3849
type or print name)	GEN DRM MD 21057
signature)	City State Zap Code Name, address and phone number of swmor, contract purchaser or representative to be contacted.
ddress phone	name

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



(410) 887-3353

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 11952 HARFORD

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) REAR YARD 15 A DRAMATIC SLOPE!

REQUEST SIDE YARD POOL

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a response

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: DAVID LIDIE SR + GIMA FERRADO LIDIC the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law

that the matters and facts hereinabove set forth are true and correct to the best of his/har/their knowledge and belief

THE DESCRIPTION -3 copies required

LES/mmn

of the soning description of your property are required. Type or print Three copies of the moning description of your property are required. Type of print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, do not have adequate information. The zoning

| HARFURD | Constitution of the control of the cont 8[9], Block [], Section 8 in the subdivision of BOLAPARTE

Inumber of total equare feet or acres in lot)

1952 HAMARD 12D and located in the (11) Election District.

*If your property is not recorded by Plat Book and Folio Number, then no NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber [], Folio []" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location. Typical metes and bounds: N.87° 12' 13" E. 321.1 ft.,

8.18° 27' 03" E. 67.2 ft., 8.62° 19' 00" W. 318 ft., and N.OB" 15' 22" W.80 ft. to the place of beginning.

CERTIFICATE OF POSTING IG DEPARTMENT OF BALTIMORE COUNTY Toursen, Maryland

strict	Date of Posting 1/1/92
utioner: Maded 4 61210 16 46	
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11902 - Marion 1 RC	
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sted by	Date of return: 1/3/92

Street at the acceptance of the contract of

Zoning Commissioner

weather at the post of

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Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

April 6, 1992

RE: Item No. 359, Case No. 92-340-A Petitioner: David Lidie, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Lidie:

11952 Harfford Road

Glen Arm, MD 21057

Mr. & Mrs. David Lidie, Sr.

111 West Chesapeake Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

West Chespeine New Co

100x 5 0 MD 27200

(410) 887-3353

Your petition has been received and accepted for filing this

Received By:

DIRECTOR

Zoning Plans Advisory Commit

Petitioner: David Lidie, et ux Petitioner's Attorney:

12th day of March, 1992.

Baltimore County Government Fire Department

Committee of the second

700 Past Joppa Road State 901 APRII. 2, 1992

Fowson, MD 21201 5535

Arnold Jablon Director Zoning Administration and Development Management
Baltimore County Office Building Towson, MD 21204

RE: Property Owner: DAVID LIDIE, SR. AND GINA FERRIRO LIDIE

#11952 HARFORD ROAD Location:

Zoning Agenda: MARCH 24, 1992 Item No.: 359

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Approved Fire Prevention Bureau Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 24, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for March 24, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 354, 356, 358, 359, 360, 361 and 365.

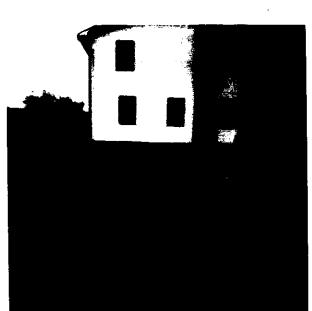
For Items 357 and 364, these sites must be submitted through the new subdivision process for review and comments.

ROBERT W. BOWLING, P.E., Shief Developers Engineering Division

42211-32

JW

92-340-A



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

March 20, 1992

(410) 887-3353

David and Gina Lidie 11951 Harford Road Glen Arm, Maryland 21057

111 West Chesapeake Avenue

Towson, MD 21204

Re: CASE NUMBER: 92-340-A LOCATION: W/S Harford Road, 1770' N of Hartley Mill Road 11th Election District - 6th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a

closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your

Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

92-340-A

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: Z.A.C. Comments

Commence of the

Z.A.C. MEETING DATE: March 24, 1992

This office has no comments for item numbers 356, 357, 358, 359, 360, 361 and 364.

Traffic Engineer II

RJF/lvd

refresher regarding the administrative process. 1) Your property will be posted on or before March 29, 1992. The closing date is April 13, 1992. The

petition has been granted, denied, or will go to public hearing. 2) In cases requiring public bearing (whether due to a neighbor's formal request or by Order of the

the closing date. Failure to return the sign and post will result in a \$50.00 charge.

